REMARKS

In response to the Office Action dated February 24, 2006, Applicants respectfully request reconsideration.

Drawings

Enclosed herewith are Replacement Sheets replacing original FIGS. 1-5. FIGS. 1 and 5 stand "objected to under 37 C.F.R. § 1.84(m) because they fail to show the necessary textual description stated in the drawings figures of figures 1 and 5." The shading has been removed from FIGS. 1 and 5. Applicants respectfully assert that FIGS. 1 and 5 comply with 37 C.F.R. § 1.84(m).

Furthermore, FIGS. 2 and 5 have been amended. FIG. 2 has been amended to show a volume manager 221 instead of a volume manager 112. FIG. 5 has been amended to include a "file management system 500." Applicants assert that no new matter is introduced by the amendments to FIGS. 2 and 5.

Specification

The Specification stands objected to. The Examiner has required that the Applicants provide serial numbers for the related applications indicated on page 1, ¶ [01] of the specification.

Submitted herewith is a replacement paragraph that replaces the original version of ¶ [01]. Applicants assert that the amendments to the specification overcome the Examiner's objection.

Double patenting

Claims 1, 3, 5-14, and 16-29 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting. Applicants assert that claims 1, 3, 5-14, and 16-29 of the present application are patentably distinct over the other claims identified by

the Examiner. Applicants, however, are submitting a terminal disclaimer herewith, thus obviating the double patenting rejection of claims 1, 3, 5-14, and 16-29.

35 U.S.C. § 101 rejections

Claim 1 stands rejected under 35 U.S.C. § 101 as being directed to a system of managing volumes of electronic files which is an abstract idea or the mere manipulation of an abstract idea. Applicants thank the Examiner for the suggestion of amending claim 1 to read "A computerized file management system." Claim 1 has been amended to reflect the Examiner's suggested language. Thus, Applicants assert that claim 1 satisfies 35 U.S.C. § 101.

35 U.S.C. § 103 rejections

Claims 1-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,330,572 (Sitka) in view of U.S. Patent No. 6,741,996 (Brechner).

Sitka in view of Brechner does not teach, disclose, suggest, or make obvious a computerized file management system, as recited in claim 1, for use with an existing file system, the file management system including a volume manager and a version control module. The Examiner cited FIG. 2, element 52 and col. 17, ll. 23-26 of Sitka as teaching or suggesting a volume manager that manages the electronic files as metadata relating to such files. (Office Action dated 2/23/06, p. 7). While Sitka uses the term "volume manager," this item is very different from the volume manager recited in claim 1. The cited portions of Sitka discuss a volume manager 52 that:

> carries out the following tasks: (1) maintains the records in the Volume and Store tables in the database; (2) aids in selecting appropriate destination volumes for IO Requests; (3) gets volumes ready for transferring data; and (4) when data transfer is complete, releases the volumes. In preparing volumes for transfer, volume manager 52: (a) issues Volume Mount requests to the Library Server 16 and handle the responses; and (b) issues requests to Volume Server 18 to prepare the drive and volume for file segment commands, and handle the responses. Volume Server 18 sets up Data Mover 20, 21. To release the volumes,

Volume Manager 52 issues requests to Volume Server 18 to release the volume and drive, and issues requests to Library Server 16 to unmount the Volume.

Col. 15, l. 15 – col. 16, l. 4. While Sitka discusses file metadata, the cited portion of Sitka does not disclose that the volume manager manages the metadata. The cited portions disclose that the file metadata is contained in the Database Server 26, rather than a volume. Thus, Sitka does not teach, suggest, disclose, or make obvious a volume manager configured to manage electronic files on the volume <u>and to manage metadata</u> relating to the electronic files on the volume, as does claim 1.

Furthermore, Sitka in view of Brechner does not teach, disclose, suggest, or make obvious a version control module, as does claim 1, configured to manage versions of a selected file. The Examiner cited FIG. 7, elements 232 and 236; FIG. 9; and FIG 12, element 358 of Brechner as teaching "version control of an electronic file through the file management system based on opening, saving, and changing of a file." (Office Action, 2/24/06, p. 7). The cited portions of Brechner discuss dialog boxes allowing a user to add clips to a media file organizer (e.g., FIG. 7), to select auto-import settings (e.g., FIG. 9), and to search for a specific media file or type of media file among a user's collections of media files (e.g., FIG. 12). Col. 3, l. 55 – col. 4, l. 3. Element 232 of FIG. 7 refers to a "title line 232 that reads 'Add clips to Organizer.' " *Id.*, col. 13, ll. 61-62. If the user elects to carry out a default scan of the hard drive, the user clicks OK button 236. *Id.* at ll. 62-64. The cited portions of Brechner discuss searching for files currently existing on a hard drive, and do not disclose tracking changes made to those files. FIG. 9 shows a folder tree window 264 that includes the various folders and subfolders on a user's hard drive. *Id.*, col. 14, ll. 13-14. The cited portions of Brechner do not discuss that the folder tree window 264 displays, or is in any way concerned with versions or changes of the files found on the hard drive. Restore control button 358 refers to a button that a user can click to clear keywords entered into a keyword search field. *Id.*, col. 15, ll. 44-47. The cited portions of Brechner discuss that the restore control button 358 makes it more convenient for a user to restart the text entry process. In contrast, claim 1 recites a version control module configured to automatically manage versions of a selected file of electronic files based on a user <u>opening, saving, and changing</u> the selected file, the

version control module being configured to keep a record of i) what changes were made to the selected file, ii) who made the changes to the selected file, and iii) when the changes were made to the selected file. Thus, for at least the above reasons, claim 1 is patentable over Sitka in view of Brechner.

Claims 2-3, 5-11, and 13-32, which depend from independent claim 1, are patentable for at least the same reasons discussed above with respect to independent claim 1.

Claim 12, which depends from independent claim 1, stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sitka in view of Brechner, in further view of U.S. Pat. No. 6,055,534 (Nishino). The Examiner does not assert that Nishino makes up for the deficiencies noted above with respect to independent claim 1. Thus, for at least the reasons discussed above with respect to independent claim 1, claim 12 is patentable.

Additional claims

Claims 33-34 have been added. Applicants assert that no new matter has been introduced by claims 33-34. Applicants assert that claims 33-34 are patentable, and a notice to that effect is respectfully requested.

Conclusion

Based on the foregoing, this application is believed to be in allowable condition, and a notice to that effect is respectfully requested. If a telephone conversation with Applicant's representative would help expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at (617) 542-6000.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account 50-0311, Reference No. 25396-005.

Respectfully submitted,
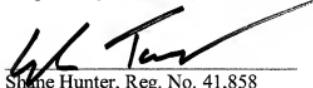
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